

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

519H0281

SENATE BILL NO. 97

Introduced by: Senator Koskan and Representative Duenwald

1 FOR AN ACT ENTITLED, An Act to revise the weight exemption for vehicles hauling
2 speciality crops.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-22-16.3 be amended to read as follows:

5 32-22-16.3. No vehicle hauling agricultural products from farm storage or livestock from a
6 farm is subject to enforcement action for violations not exceeding the legal limits imposed
7 pursuant to § 32-22-16 or 32-22-21 by more than five percent. However, such vehicle may not
8 exceed the speed of fifty miles per hour and is only exempt pursuant to this section within a
9 range of fifty miles of the farm. However, if the vehicle is hauling any speciality crop defined in
10 section 2 of this Act, such vehicle is exempt within a range of one hundred fifty miles of the farm.

11 Such vehicle may not exceed the posted weight of any bridge or road. The weight tolerance
12 authorized in this section is not applicable during spring load restrictions as set forth in
13 § 32-22-24. If enforcement action is taken pursuant to this section, the fine or penalty shall apply
14 to that portion of the load that is above the legal limit. The weight tolerance authorized in this
15 section is not permitted on the interstate highway system. A violation of this section is a Class



1 2 misdemeanor.

2 Section 2. That chapter 36-22 be amended by adding thereto a NEW SECTION to read as
3 follows:

4 A speciality crop is any crop defined in 7 CFR 205, as amended through January 1, 2002.